

19:23-16 and 19:13-22
LEGISLATIVE HISTORY CHECKLIST

Compiled by the NJ State Law Library

LAWS OF: 2022 **CHAPTER:** 15

NJSA: 19:23-16 and 19:13-22
(Changes deadline for filing of acceptance by successful write-in candidate for primary election to on or before the seventh day following certification of election results.)

BILL NO: A3670 (Substituted for S1887 (1R))

SPONSOR(S) Anthony S. Verrelli and others

DATE INTRODUCED: 3/17/2022

COMMITTEE: **ASSEMBLY:** State and Local Government

SENATE: ---

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: ASSEMBLY: 5/26/2022

SENATE: 5/26/2022

DATE OF APPROVAL: 6/1/2022

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (First Reprint enacted) Yes

A3670

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: No

S1887 (1R)

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

COMMITTEE STATEMENT: ASSEMBLY: No

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government
Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

end

P.L. 2022, CHAPTER 15, *approved June 1, 2022*
Assembly, No. 3670 (*First Reprint*)

1 AN ACT concerning the deadline for the filing of an acceptance of
2 nomination by a successful primary election write-in nominee
3 and amending R.S.19:23-16 ¹and R.S.19:13-22¹.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. R.S.19:23-16 is amended to read as follows:

9 19:23-16. Any person nominated at the primary by having **[his]**
10 the person's name written or pasted upon the primary ballot shall
11 file a certificate stating that **[he]** the person is qualified for the
12 office for which **[he]** the person has been nominated, that **[he]** the
13 person is a resident of and a legal voter in the jurisdiction of the
14 office for which the nomination is made and that **[he]** the person
15 consents to stand as a candidate at the ensuing general election to
16 which shall be annexed the oath of allegiance prescribed in section
17 41:1-1 of the Revised Statutes duly taken and subscribed by the
18 person so nominated before an officer authorized to take oaths in
19 this State.

20 In addition, a person so nominated for the office of Governor or
21 the office of member of the Senate or General Assembly shall
22 annex to the certificate a statement signed by the candidate that **[he**
23 **or she]** the person:

24 a. has not been convicted of any offense graded by Title 2C of
25 the New Jersey Statutes as a crime of the first, second, third or
26 fourth degree, or any offense in any other jurisdiction which, if
27 committed in this State, would constitute such a crime; or

28 b. has been so convicted, in which case, the candidate shall
29 disclose on the statement the crime for which convicted, the date
30 and place of the conviction and the penalties imposed for the
31 conviction. Such a candidate may, as an alternative, submit with
32 the statement a copy of an official document that provides such
33 information. If the candidate has been convicted of more than one
34 criminal offense, such information about each conviction shall be
35 provided. Records expunged pursuant to chapter 52 of Title 2C of
36 the New Jersey Statutes shall not be subject to disclosure.

37 ¹**[Such]** Written¹ acceptance ¹of such nomination¹ shall be filed
38 **[within seven days after the holding of]** ¹**[prior to or on]** by each
39 candidate so nominated on or before the seventh day following¹ the
40 date of the certification of the results of the primary with the county

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate floor amendments adopted May 26, 2022.

1 clerk in the case of county and municipal offices and with the
2 **【Attorney General】** Secretary of State for all other offices.

3 ¹Each county clerk shall post on the county's website the official
4 results of the primary election within 24 hours after the certification
5 of the election results.¹

6 (cf: P.L.2004, c.26, s.5)

7

8 ¹2. R.S.19:13-22 is amended to read as follows:

9 19:13-22. a. The Secretary of State, not later than **【eighty-six】**
10 99 days, and with respect to candidates for President and Vice
11 President of the United States not later than 88 days, before any
12 election whereat any candidates nominated in any direct petition or
13 primary certificate of nomination or State convention certificate
14 filed with **【him】** the Secretary of State are to be voted for, shall
15 make and certify, under **【his】** the Secretary's hand and seal of
16 office, and forward to the clerks of the several counties of the State,
17 and post on the Secretary's website, a statement of all such
18 candidates for whom the voters within such county may be by law
19 entitled to vote at such election. This statement **【,** in addition to the
20 names of the candidates for President and Vice-President of the
21 United States, if any such have been included in any such certificate
22 or petition filed with him,**】** shall contain the names and residences
23 of all **【other】** candidates, the offices for which they are respectively
24 nominated, and the names of the parties by which or the political
25 appellation under which they are respectively nominated.
26 Candidates nominated directly by petition, without distinctive
27 political appellation, shall be certified as independent candidates.
28 Similar statements shall be made, certified and forwarded, when
29 vacancies are filled subsequently, according to law.

30 b. The Secretary of State shall certify and forward the
31 statement required by subsection a. of this section no later than the
32 fourth Friday in June following a primary election for the
33 candidates for the office of Governor for whom the voters may be
34 by law entitled to vote at the next subsequent general election. The
35 statement shall include the information required by subsection a. of
36 this section. Candidates nominated directly by petition for the
37 office of Governor, without distinctive political appellation, shall be
38 certified as independent candidates at the same time as candidates
39 nominated for the office of Governor at a primary election are
40 certified by the Secretary of State. Similar statements shall be
41 made, certified and forwarded, when vacancies are filled
42 subsequently, according to law.¹

43 (cf: P.L.2009, c.66, s.33)

44

45 ¹**【2.】** 3.¹ This act shall take effect immediately.

A3670 [1R]

3

1

2

3

4

5

Changes deadline for filing of acceptance by successful write-in candidate for primary election to on or before the seventh day following certification of election results.

SENATE, No. 1887

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED FEBRUARY 28, 2022

Sponsored by:
Senator JAMES BEACH
District 6 (Burlington and Camden)

SYNOPSIS

Changes deadline for filing of acceptance by successful write-in candidate for primary election from seven days after primary election to certification of election results.

CURRENT VERSION OF TEXT

As introduced.



S1887 BEACH

2

1 AN ACT concerning the deadline for the filing of an acceptance of
2 nomination by a successful primary election write-in nominee
3 and amending R.S.19:23-16.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. R.S.19:23-16 is amended to read as follows:

9 19:23-16. Any person nominated at the primary by having **[his]**
10 the person's name written or pasted upon the primary ballot shall
11 file a certificate stating that **[he]** the person is qualified for the
12 office for which **[he]** the person has been nominated, that **[he]** the
13 person is a resident of and a legal voter in the jurisdiction of the
14 office for which the nomination is made and that **[he]** the person
15 consents to stand as a candidate at the ensuing general election to
16 which shall be annexed the oath of allegiance prescribed in section
17 41:1-1 of the Revised Statutes duly taken and subscribed by the
18 person so nominated before an officer authorized to take oaths in
19 this State.

20 In addition, a person so nominated for the office of Governor or
21 the office of member of the Senate or General Assembly shall
22 annex to the certificate a statement signed by the candidate that **[he**
23 **or she]** the person:

24 a. has not been convicted of any offense graded by Title 2C of
25 the New Jersey Statutes as a crime of the first, second, third or
26 fourth degree, or any offense in any other jurisdiction which, if
27 committed in this State, would constitute such a crime; or

28 b. has been so convicted, in which case, the candidate shall
29 disclose on the statement the crime for which convicted, the date
30 and place of the conviction and the penalties imposed for the
31 conviction. Such a candidate may, as an alternative, submit with
32 the statement a copy of an official document that provides such
33 information. If the candidate has been convicted of more than one
34 criminal offense, such information about each conviction shall be
35 provided. Records expunged pursuant to chapter 52 of Title 2C of
36 the New Jersey Statutes shall not be subject to disclosure.

37 Such acceptance shall be filed **[within seven days after the**
38 **holding of]** prior to or on the date of the certification of the results
39 of the primary with the county clerk in the case of county and
40 municipal offices and with the [Attorney General] Secretary of
41 State for all other offices.

42 (cf: P.L.2004, c.26, s.5)

43
44 2. This act shall take effect immediately.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1

STATEMENT

2

3

The bill changes the deadline for the filing of acceptance from a successful write-in candidate for a primary election from seven days after the primary election to the certification of the election results of the primary election.

7

Under current law, mail-in ballots can still be cured after the current deadline of seven days after the primary election. Also, seven days after the election is the start date for provisional ballots to be counted. Therefore, who has won the primary may not be determined seven days after the election.

12

This bill changes the deadline from seven days after the election to the date the results of the election have been certified to allow for the results to be officially declared.

13

14

SENATE STATE GOVERNMENT, WAGERING, TOURISM &
HISTORIC PRESERVATION COMMITTEE

STATEMENT TO

SENATE, No. 1887

STATE OF NEW JERSEY

DATED: MARCH 3, 2022

The Senate State Government, Wagering, Tourism and Historic Preservation Committee reports favorably Senate Bill No. 1887.

The bill changes the deadline for the filing of acceptance from a successful write-in candidate for a primary election from seven days after the primary election to the certification of the election results of the primary election.

Under current law, mail-in ballots can still be cured after the current deadline of seven days after the primary election. Also, seven days after the election is the start date for provisional ballots to be counted. Therefore, who has won the primary may not be determined seven days after the election.

This bill changes the deadline from seven days after the election to the date the results of the election have been certified to allow for the results to be officially declared.

STATEMENT TO
SENATE, No. 1887

with Senate Floor Amendments
(Proposed by Senator BEACH)

ADOPTED: MAY 26, 2022

These Senate amendments:

(1) Require candidates to file written acceptance of their nomination on or before the seventh day following the date of the certification of the results of the primary;

(2) Require each county clerk to post on the county's website the official results of the primary election within 24 hours after the certification of the election results;

(3) changes from 86 days to 99 days, and to 88 days for statements concerning candidates for President and Vice President of the United States, the number of days before any election whereat any candidates nominated in any direct petition or primary certificate of nomination or State convention certificate filed with the Secretary of State are to be voted for, that the Secretary of State is required to make and certify and forward to the county clerks a statement of all such candidates for whom the voters within such county may be by law entitled to vote at such election; and

(4) requires the Secretary of State to post that statement on the Secretary's website.

ASSEMBLY, No. 3670

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MARCH 17, 2022

Sponsored by:

Assemblyman ANTHONY S. VERRELLI

District 15 (Hunterdon and Mercer)

SYNOPSIS

Changes deadline for filing of acceptance by successful write-in candidate for primary election from seven days after primary election to certification of election results.

CURRENT VERSION OF TEXT

As introduced.



A3670 VERRELLI

2

1 AN ACT concerning the deadline for the filing of an acceptance of
2 nomination by a successful primary election write-in nominee
3 and amending R.S.19:23-16.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. R.S.19:23-16 is amended to read as follows:

9 19:23-16. Any person nominated at the primary by having **[his]**
10 the person's name written or pasted upon the primary ballot shall
11 file a certificate stating that **[he]** the person is qualified for the
12 office for which **[he]** the person has been nominated, that **[he]** the
13 person is a resident of and a legal voter in the jurisdiction of the
14 office for which the nomination is made and that **[he]** the person
15 consents to stand as a candidate at the ensuing general election to
16 which shall be annexed the oath of allegiance prescribed in section
17 41:1-1 of the Revised Statutes duly taken and subscribed by the
18 person so nominated before an officer authorized to take oaths in
19 this State.

20 In addition, a person so nominated for the office of Governor or
21 the office of member of the Senate or General Assembly shall
22 annex to the certificate a statement signed by the candidate that **[he**
23 **or she]** the person:

24 a. has not been convicted of any offense graded by Title 2C of
25 the New Jersey Statutes as a crime of the first, second, third or
26 fourth degree, or any offense in any other jurisdiction which, if
27 committed in this State, would constitute such a crime; or

28 b. has been so convicted, in which case, the candidate shall
29 disclose on the statement the crime for which convicted, the date
30 and place of the conviction and the penalties imposed for the
31 conviction. Such a candidate may, as an alternative, submit with
32 the statement a copy of an official document that provides such
33 information. If the candidate has been convicted of more than one
34 criminal offense, such information about each conviction shall be
35 provided. Records expunged pursuant to chapter 52 of Title 2C of
36 the New Jersey Statutes shall not be subject to disclosure.

37 Such acceptance shall be filed **[within seven days after the**
38 **holding of]** prior to or on the date of the certification of the results
39 of the primary with the county clerk in the case of county and
40 municipal offices and with the [Attorney General] Secretary of
41 State for all other offices.

42 (cf: P.L.2004, c.26, s.5)

43

44 2. This act shall take effect immediately.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1
2
3
4
5
6
7
8
9
10
11
12
13
14

STATEMENT

The bill changes the deadline for the filing of acceptance from a successful write-in candidate for a primary election from seven days after the primary election to the certification of the election results of the primary election.

Under current law, mail-in ballots can still be cured after the current deadline of seven days after the primary election. Also, seven days after the election is the start date for provisional ballots to be counted. Therefore, who has won the primary may not be determined seven days after the election.

This bill changes the deadline from seven days after the election to the date the results of the election have been certified to allow for the results to be officially declared.

ASSEMBLY STATE AND LOCAL GOVERNMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3670

STATE OF NEW JERSEY

DATED: MARCH 17, 2022

The Assembly State and Local Government Committee reports favorably Assembly Bill No. 3670.

The bill changes the deadline for the filing of acceptance from a successful write-in candidate for a primary election from seven days after the primary election to the certification of the election results of the primary election.

Under current law, mail-in ballots can still be cured after the current deadline of seven days after the primary election. Also, seven days after the election is the start date for provisional ballots to be counted. Therefore, who has won the primary may not be determined seven days after the election.

This bill changes the deadline from seven days after the election to the date the results of the election have been certified to allow for the results to be officially declared.

STATEMENT TO
ASSEMBLY, No. 3670

with Senate Floor Amendments
(Proposed by Senator BEACH)

ADOPTED: MAY 26, 2022

These Senate amendments:

(1) Require candidates to file written acceptance of their nomination on or before the seventh day following the date of the certification of the results of the primary;

(2) Require each county clerk to post on the county's website the official results of the primary election within 24 hours after the certification of the election results;

(3) changes from 86 days to 99 days, and to 88 days for statements concerning candidates for President and Vice President of the United States, the number of days before any election whereat any candidates nominated in any direct petition or primary certificate of nomination or State convention certificate filed with the Secretary of State are to be voted for, that the Secretary of State is required to make and certify and forward to the county clerks a statement of all such candidates for whom the voters within such county may be by law entitled to vote at such election; and

(4) requires the Secretary of State to post that statement on the Secretary's website.

Governor Murphy Takes Action on Legislation

06/1/2022

TRENTON – Today, Governor Phil Murphy signed the following bill into law:

A-3670/S-1887 (Verrelli/Beach) - Changes deadline for filing of acceptance by successful write-in candidate for primary election to on or before the seventh day following certification of election results